

1 HEATHER E. WILLIAMS, SBN 122664
Federal Defender
2 HOOTAN BAIGMOHAMMADI, SBN 279105
Assistant Federal Defender
3 Designated Counsel for Service
801 I Street, Third Floor
4 Sacramento, CA 95814
T: (916) 498-5700
5 F: (916) 498-5710

6 Attorneys for Defendant
Mr. Quesada-Valencia
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. 2:21-cr-00046-JAM
11)
Plaintiff,) **STIPULATION AND ORDER TO CONTINUE**
12) **STATUS CONFERENCE, SET BRIEFING**
vs.) **SCHEDULE AND EXCLUDE TIME**
13)
MIGUEL QUESADA-VALENCIA) Date: July 20, 2021
14) Time: 9:30 a.m.
Defendant.) Judge: Hon. John A. Mendez
15)

16 IT IS HEREBY STIPULATED and agreed by and between Acting United States
17 Attorney Phillip A. Talbert, through Assistant United States Attorney Samuel Stefanki, counsel
18 for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender
19 Hootan Baigmohammadi, counsel for Defendant Miguel Quesada-Valencia, that (1) the status
20 hearing currently set for July 20, 2021 at 9:30 be continued to October 19, 2021 at 9:30 a.m.; (2)
21 the briefing schedule laid out below be adopted; and (3) that time be excluded.

22 The parties specifically stipulate as follows:

- 23 1. By previous order, this matter was set for a status on July 20, 2021 at 9:30 a.m.
24 2. By stipulation, Mr. Quesada now moves to continue the status conference to
25 **October 19, 2021, at 9:30 a.m.**
26 3. The government has produced 535 pages and various audio recordings of
27 discovery.
28

- 1 4. Defense counsel represents that he requires additional time to review the
2 discovery, investigate and research possible defenses, research potential pretrial
3 motions, consult with Mr. Quesada, explore potential resolutions to the case, and
4 otherwise prepare for trial. Failure to grant the requested continuance would deny
5 him the reasonable time necessary for effective preparation, taking into account
6 the exercise of due diligence.
- 7 6. The government does not object to the continuance with the following briefing
8 schedule in place: Rule 12 motions due no later than **October 25, 2021**;
9 Responses due no later than **November 26, 2021**; and Replies due no later than
10 **December 10, 2021**. Mr. Quesada agrees to the briefing schedule.
- 11 7. Furthermore, the parties stipulate that the ends of justice served by granting the
12 continuance outweighs the best interest of the public and Mr. Quesada in a speedy
13 trial, and request the Court so to find.
- 14 8. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial
15 Act), the parties request that the time period between July 20, 2021 and October
16 19, 2021, inclusive, be deemed excludable pursuant to 18 U.S.C. §
17 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance
18 granted by the Court at the defense's request, based on a finding that the ends of
19 justice served by granting the continuance outweighs the best interest of the
20 public and Mr. Quesada in a speedy trial.

21 //

22 //

23 //

24 //

25 //

26 //

27 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Date: July 13, 2021

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Quesada-Valencia

Date: July 13, 2021

PHILLIP A. TALBERT
United States Attorney

/s/ Samuel Stefanki
SAMUEL STEFANKI
Assistant United States Attorney
Attorneys for Plaintiff

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, **ADOPTS** the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: 7/13/2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE